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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/589,024	08/10/2006	Shinichi Nishida	1248-0691PUS1	4142
2292 7590 10/05/2010 BIRCH STEWART KOLASCH & BIRCH PO BOX 747 FALLS CHURCH, VA 22040-0747				
EXAMINER KUMAR, SRILAKSHMI K				
ART UNIT 2629		PAPER NUMBER		
NOTIFICATION DATE 10/05/2010		DELIVERY MODE ELECTRONIC		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

mailroom@bskb.com

Office Action Summary

Application No.

10/589,024

Applicant(s)

NISHIDA ET AL.

Examiner

SRILAKSHMI K. KUMAR

Art Unit

2629

Period for Reply -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 13 September 2010.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1, 3-8, 10-16, 18 and 20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1, 3-8 and 10-14 is/are allowed.
- 6) ☒ Claim(s) 15, 16, 18 and 20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

The following office action is in response to the request for continued examination filed on September 13, 2010. Claims 1, 3,-8, 10-16, 18 and 20 are pending. Claims 1, 3, 8, 10, 15, 18 and 20 have been amended. Claim 2 have been cancelled.

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1, 3, 8, 10, 15, 16, 18-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ohgami et al (US PG-Pub 2003/0120742) in view of Cho (GB 2 343 334).

As to independent claims 15, 18 and 20, Ohgami et al teach a display apparatus (item 6) for wirelessly receiving at least (i) a recognition information signal for determining whether or not the display apparatus is identified with a wireless transmitting apparatus (paragraphs 0053, 0063-0071; 0074-0076) and (ii) a video signal, the display apparatus, comprising: wireless receiving means for receiving the recognition information signal (paragraph 0053-0099) and the video signal that are wirelessly transmitted (paragraph 0053-0099); detecting means for carrying out detection of the recognition information signal (paragraph 0053-0099, 157-159); display means for displaying an image in accordance with at least the video signal (paragraph 0053-0099, 157-159); storage means for storing display information indicating that it is not possible to receive a signal (paragraph 0053). Ohgami does not teach display control means for, outputting a signal causing the display means to stop displaying of the video signal and to change display

format of the display means according to the recognition information signal detected by the recognition information signal detection means to displaying display information indicating that it is not possible to receive the video signal. Ohgami teaches wherein when the detecting means detects another recognition information signal that is different from a recognition information signal set in the display apparatus, (paragraph 0053-0099, 157-159).

Cho teaches display control means for, when the video signal is not normally received, causing the display means to display one of a plurality of poor reception information that are based on the display information, the poor reception information of which the display control means causes a display differs according to a result of the detection carried out by the detecting means on pages 3, line 22 to page 9, lines 30 (where the poor reception information is displayed as a bar graph). It would have been obvious to one of ordinary skill in the art at the time the invention was made to include the information as taught by Cho into Ohgami et al in order to provide a clear indication of successful communication (Cho, abstract title).

As to dependent claim 16, limitations of claim 15, and further comprising, wherein: Cho teaches the first poor reception information and the second poor reception information are displayed in different display formats (page 6, lines 5-25).

As to independent claim 18, this claim differs from claims 15, above only in that claim 18 is a method, whereas claims 1 and 8 are directed to an apparatus or device. Thus the method claim 18 is analyzed as previously discussed with respect to apparatus/device claims 1 and 8, above.

As to independent claim 18, this claim differs from claim 15, above only in that claim 18 is a method whereas claim 15 is directed to an apparatus. Therefore the method of claim 18 is analyzed as previously discussed with respect to claim 15.

As to independent claim 20, this claim differs from claims 15 and 18, above only in that claim 20 is directed to a computer readable recording medium, whereas claims 15 and 18 are directed to an apparatus and method, respectively. Therefore, the CRRM of claim 20 is analyzed as previously discussed with respect to claims 15 and 18.

Allowable Subject Matter

3. Claims 1, 3-7, 8, 10-14 are allowed.

Response to Arguments

4. Applicant's arguments filed March 17, 2010 have been fully considered but they are not persuasive.

With respect to the claim objection for claim 20, as applicants have amended the specification to recited "a computer readable recording medium".

With respect to applicant's arguments of where the prior art of Cho does not disclose displaying display information which indicates that it is not possible to receive a video signal and the display format of the display information is changed according, examiner, respectfully, disagrees. Cho teaches in pages 3, line 22 to page 9, lines 30 where the poor reception information is displayed as a bar graph. Applicants further argue where the prior art does not teach or disclose a data error rate as a predetermined recognition information signal. Applicants do not claim that the predetermined recognition information signal is a data error rate.

The prior art of Ohgami in view of Cho teach the claimed limitations.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to SRILAKSHMI K. KUMAR whose telephone number is (571)272-7769. The examiner can normally be reached on 7:00 am to 4:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sue Lefkowitz can be reached on 571 272 3638. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Srilakshmi K Kumar/
Primary Examiner
Art Unit 2629

SKK
9/29/2010